



STATE OF WEST VIRGINIA
OFFICE OF THE ATTORNEY GENERAL
DARRELL V. MCGRAW, JR.
CONSUMER PROTECTION DIVISION
1-800-368-8808 or 304-558-8986

Press Release

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FOR IMMEDIATE RELEASE

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ATTORNEY GENERAL DARRELL MCGRAW SETTLES WITH ALLTEL, A CELL PHONE PROVIDER

From May 25, 2005-September 30, 2005, two Alltel stores in West Virginia began telling consumers that there was a state law prohibiting the use of handheld cell phones while driving. In reality, there was no such law in West Virginia, only proposed legislation. Employees made this misrepresentation in an attempt to coerce consumers into purchasing hands free kits from Alltel. Hands free kits are devices used for talking on cell phones without physically holding the cell phone. These store practices were documented in a news segment on WSAZ news in Charleston, West Virginia last fall.

Shortly after the news segment aired, McGraw's office opened a formal investigation. The company immediately agreed to resolve the matter. Under the terms of the settlement, approximately 1,500 West Virginia consumers who purchased a hands free kit during the relevant period of time will be notified by mail. These 1,500 consumers will be entitled to a refund if they return the hands free kit and sign a form verifying that an Alltel employee told them it was against the law to operate a handheld cell phone while driving. The potential consumer restitution is estimated at \$90,000. Alltel has also agreed to bear all of the costs associated with administering the refunds. In order to be eligible for a refund, the settlement requires that consumers return the signed claim form and their hands free kits by November 10, 2006.

McGraw stated, "Alltel has stepped forward and taken responsibility for its employees' actions. I commend their cooperation with our office in this process. From the first time we contacted Alltel's upper management, they have acknowledged the problem and agreed to do whatever possible to rectify the situation and compensate any consumers who were harmed. On behalf of the West Virginia citizens, I want to thank Alltel for its exemplary corporate citizenship."

If you have any questions about this matter or want to file a consumer complaint, please call Attorney General Darrell McGraw's Consumer Hotline at 1-800-368-8808 or 304-558-8986, or download a complaint form from this site.

To download and print a complaint form, please click on the **General Consumer Complaint Form** link at the top of this page.

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